

REPORT AND RECOMMENDATION
OF THE
DAVIE AGRICULTURAL ADVISORY BOARD
AS APPROVED ON JUNE 5th, 2001

Last year, the Davie Town Council unanimously passed the 'farm amendments', an ordinance bringing Chapter 12, the Land Development Code of the Town of Davie Code of Ordinances, into compliance with State law. In that ordinance it stated, "Section 9. All Ordinances or parts of Ordinances in conflict herewith are to the extent of such conflict hereby repealed."

Through an oversight, Section 12-34(B) *Agriculture*, of the Land Development Code was inadvertently not amended or repealed. Section 12-34(B) is part of the Detailed Use Regulations of the Town of Davie Land Development Code, from which farms are exempt. Section 12-503(6) states, "It is expressly recognized that the term 'development' as defined herein and throughout this Code, shall not include nor be interpreted to include any farm, or 'agricultural uses' as that term is defined pursuant to Section 12-32(A)." The Town of Davie Comprehensive Plan reiterates this definition, as does State law. Section 12-34(B) is in direct conflict with Section 12-503(6) of the Code of Ordinances of the Town of Davie, the Comprehensive Plan and, moreover, not in compliance with State law.

The Davie Agricultural Advisory Board therefore recommends that the Davie Town Council delete Section 12-34(B) *Agriculture* in its entirety.

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In the last election, the voters of the Town of Davie overwhelmingly approved a charter amendment that states, "The town council shall identify the remaining rural and equestrian areas within the town and adopt appropriate legislation to ensure the preservation of these areas". This provides a mandate to the council to achieve this goal. It is crucial to move forward promptly, to carry out the will of the people, before these areas are lost to the type of development that precludes such preservation.

The Davie Agricultural Advisory Board believes a 'rural/equestrian' overlay district would be the most feasible way of achieving this preservation without interfering with legally established property rights.

To this end, the Board has already begun researching and discussing ideas for a manual, which may include architectural styles, detailed landscaping requirements, road widths, set backs, street patterns, common green areas and environmental set asides, and other neo-traditional development standards that would maintain a rural, small town character for future developments in the designated overlay districts.

Putting together suggestions for a detailed overlay district manual may take several months before it is ready to present to the Council as a recommendation. The Board is aware that there could be a rush to initiate development plans on the areas of land that could be placed in such an overlay district to avoid having to comply with new regulations. Therefore:

The Davie Agricultural Advisory Board recommends that the Town Council declare a 'zoning in progress' for the detailed land areas of the town specified herein:

All vacant land within the town limits having a future land use designation of R1, excluding parcels of less than 5 acres and excluding parcels with site plans already submitted or where other vested development rights over and above the standard R1 designation have already been established by other means.